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5 **UNITED STATES DISTRICT COURT**
6 **FOR THE WESTERN DISTRICT OF WASHINGTON**
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9 PRITISH MADHAVAN, *et al.*,

10 Plaintiffs,

11 v.

12 UR JADDOU, Director of the U.S. Citizenship
and Immigration Services, *et al.*,

13 Defendants.
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Civil Action No.: 2:22-cv-00933-TSZ

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18 **PLAINTIFFS' UNOPPOSED MOTION TO WITHDRAW MOTIONS FOR**
19 **PRELIMINARY INJUNCTION AND FOR CLASS CERTIFICATION WITHOUT**
20 **PREJUDICE**
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2 Plaintiffs move the Court to withdraw the pending motions for summary judgment or
3 preliminary injunction in the alternative, ECF No. 15, and for class certification, ECF No. 16, without
4 prejudice. Plaintiffs brought this action on July 6, 2022. ECF No. 1. They filed their amended
5 complaint on July 29, 2022. ECF No. 14. The motions for summary judgment or preliminary
6 injunction in the alternative and for class certification (“the Motions”) were filed on August 6, 2022.
7 Defendants filed their oppositions to the Motions on September 6, 2022. ECF Nos. 18 & 21. The
8 Motions have a noting date of September 16, 2022. ECF No. 23.

9 Following the filing date of the Motions, Defendants have represented that they had issued
10 the statutory maximum of visas for Fiscal Year 2022. Given the changed facts, Plaintiffs have
11 determined that the relief sought in the Motions is no longer viable at this juncture. Plaintiffs therefore
12 request that the Court allow the Motions to be considered withdrawn without prejudice. Following
13 the withdrawal of the Motions, Plaintiffs continue to pursue viable relief in their amended complaint
14 including claims for relief under the Administrative Procedure Act based on unreasonable delay.
15 Defendants’ response to the complaint is currently due on September 27, 2022. ECF No. 23.

16 Counsel for Plaintiffs conferred with counsel for Defendants regarding this motion. Counsel
17 for Defendants indicated that Defendants have no opposition to this motion.

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19 Respectfully submitted this 16th day of September, 2022,
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PLAINTIFFS’ MOTION TO
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AND FOR CLASS
CERTIFICATION WITHOUT
PREJUDICE - 2

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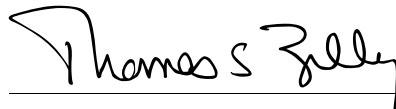
PLAINTIFFS' MOTION TO
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ORDER

Plaintiffs' motions (ECF Nos. 15 & 16) are withdrawn without prejudice. It is so
ORDERED.

DATED this 16th day of September, 2022.



Thomas S. Zilly
United States District Judge

PLAINTIFFS' MOTION TO
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